

106TH CONGRESS
2D SESSION

S. 2988

To establish a National Commission on Space.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. FRIST (for himself, Mr. BREAUX, Mr. BOND, and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish a National Commission on Space.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Millennium National
5 Commission on Space Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to establish a National
8 Commission on Space that will assist the United States—

9 (1) to define the long-range needs of the Nation
10 that may be fulfilled through the peaceful uses of
11 space;

1 (2) to maintain the Nation’s preeminence in
2 space science, technology, and applications;

3 (3) to promote the peaceful exploration and uti-
4 lization of the space environment; and

5 (4) to articulate goals and develop options for
6 the future direction of the Nation’s civilian space
7 program in coordination with commercial space ac-
8 tivities.

9 **SEC. 3. FINDINGS.**

10 The Congress finds and declares that—

11 (1) the National Aeronautics and Space Admin-
12 istration, the lead civilian space agency, as estab-
13 lished in the National Aeronautics and Space Act of
14 1958 (42 U.S.C. 2451 et seq.), has conducted a
15 space program that has been an unparalleled suc-
16 cess, providing significant economic, social, sci-
17 entific, and national security benefits, and helping to
18 maintain international stability and good will;

19 (2) the National Aeronautics and Space Act of
20 1958 (42 U.S.C. 2451 et seq.) has provided the pol-
21 icy framework for achieving this success, and con-
22 tinues to be a sound statutory basis for national ef-
23 forts in space;

24 (3) the United States has entered an era of
25 international competition and cooperation in space,

1 and therefore this Nation must strengthen the com-
2 mitment of its public and private technical, financial,
3 and institutional resources, so that the United
4 States will not lose its leadership position during the
5 coming decade;

6 (4) the private sector is a major participant in
7 the utilization of the space environment;

8 (5) the Nation continues its commitment to a
9 permanently manned space station in low Earth
10 orbit, and future national efforts in space will ben-
11 efit from the presence of such a station;

12 (6) the separation of the civilian and military
13 space programs is essential to ensure the continued
14 health and vitality of both; and

15 (7) the identification of long range goals and
16 policy options for the United States civilian space
17 program through a high level, representational pub-
18 lic forum will assist the President and Congress in
19 formulating future policies for the United States ci-
20 vilian space program.

21 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

22 (a) IN GENERAL.—The President shall, no earlier
23 than February 1, 2001, and no later than May 1, 2001,
24 establish, and appoint the members of, a National Com-
25 mission on Space.

1 (b) MEMBERSHIP.—

2 (1) APPOINTMENTS.—The Commission shall
3 consist of 15 members, appointed for the life of the
4 Commission, of whom 10 shall be appointed as fol-
5 lows:

6 (A) 3 members shall be appointed from a
7 list of 6 individuals nominated by the Majority
8 Leader of the Senate in consultation with the
9 chairman of the Senate Committee on Com-
10 merce, Science, and Transportation.

11 (B) 3 members shall be appointed from a
12 list of 6 individuals nominated by the Speaker
13 of the House of Representatives in consultation
14 with the chairman of the House Committee on
15 Science.

16 (C) 2 members shall be appointed from a
17 list of 4 individuals nominated by the Minority
18 Leader of the Senate in consultation with the
19 ranking member of the Senate Committee on
20 Commerce, Science, and Transportation.

21 (D) 2 members shall be appointed from a
22 list of 4 individuals nominated by the Minority
23 Leader of the House of Representatives in con-
24 sultation with the ranking member of the
25 House Committee on Science.

1 (2) CHAIRMAN; VICE CHAIRMAN.—The Presi-
2 dent shall designate 1 of the members of the Com-
3 mission appointed under this subsection to serve as
4 Chairman, and 1 of the members to serve as Vice
5 Chairman. The Vice Chairman shall perform the
6 functions of the Chairman in the Chairman's ab-
7 sence.

8 (c) QUALIFICATIONS.—

9 (1) IN GENERAL.—The members shall be se-
10 lected from among individuals from Federal, State,
11 and local governments, industry, business, labor,
12 academia, and the general population who, by reason
13 of their background, education, training, or experi-
14 ence, possess expertise in scientific, technological,
15 and commercial pursuits, as well as the use and im-
16 plications of the use of such pursuits.

17 (2) FEDERAL OFFICERS OR EMPLOYEES.—Not
18 more than 3 members may be employees of the Fed-
19 eral Government.

20 (3) FIRST TIME SERVICE.—Not less than 5
21 members shall be individuals who have never before
22 been appointed to serve on a Commission established
23 by the Federal Government.

24 (d) COMPENSATION.—Members who are not other-
25 wise officers or employees of the United States shall be

1 paid at a rate equal to the daily equivalent of the min-
 2 imum rate of basic pay payable for level IV of the Execu-
 3 tive Schedule under section 5315 of title 5, United States
 4 Code, for each day, including travel time, during which
 5 such members are engaged in the actual performance of
 6 the duties of the Commission. While away from their
 7 homes or regular places of business, such members shall
 8 be allowed travel expenses, including per diem in lieu of
 9 subsistence, in accordance with sections 5702 and 5703
 10 of title 5, United States Code.

11 (e) EX OFFICIO MEMBERS.—The President shall ap-
 12 point 1 individual from each of the following Federal de-
 13 partments and agencies to serve as ex officio, advisory,
 14 non-voting members of the Commission (if such depart-
 15 ment or agency does not already have a member appointed
 16 to the Commission pursuant to subsection (a)):

17 (1) National Aeronautics and Space Adminis-
 18 tration.

19 (2) Department of State.

20 (3) Department of Defense.

21 (4) Department of Transportation.

22 (5) Department of Commerce.

23 (6) Department of Agriculture.

24 (7) Department of the Interior.

25 (8) National Science Foundation.

1 (9) Office of Science and Technology Policy.

2 (10) Department of Energy.

3 (f) CONGRESSIONAL ADVISORY MEMBERS.—The
4 President of the Senate shall appoint 2 advisory members
5 of the Commission from among the Members of the Senate
6 and the Speaker of the House of Representatives shall ap-
7 point 2 advisory members of the Commission from among
8 the Members of the House of Representatives. Such mem-
9 bers shall not participate, except in an advisory capacity,
10 in the formulation of the findings and recommendations
11 of the Commission.

12 (g) REIMBURSEMENT OF EXPENSES FOR EX OFFI-
13 CIO AND CONGRESSIONAL MEMBERS.—Members of the
14 Commission appointed under subsection (e) or (f) shall not
15 be entitled to receive compensation for service relating to
16 the performance of the duties of the Commission, but shall
17 be entitled to reimbursement for travel expenses incurred
18 while in the actual performance of the duties of the Com-
19 mission.

20 (h) STAFF.—The Commission shall appoint and fix
21 the compensation of such personnel as it deems advisable.
22 The Chairman of the Commission shall be responsible
23 for—

1 (1) the assignment of duties and responsibilities
2 among such personnel and their continuing super-
3 vision; and

4 (2) the use and expenditures of funds available
5 to the Commission.

6 In carrying out the provisions of this subsection, the
7 Chairman shall act in accordance with the general policies
8 of the Commission.

9 (i) AGENCY ASSISTANCE.—To the extent permitted
10 by law, the Commission may secure directly from any ex-
11 ecutive department, agency, or independent instrumen-
12 tality of the Federal Government any information it deems
13 necessary to carry out its functions under this Act. Each
14 such department, agency, and instrumentality shall co-
15 operate with the Commission and, to the extent permitted
16 by law and upon request of the Chairman of the Commis-
17 sion, furnish such information to the Commission.

18 (j) INFORMATION-GATHERING ACTIVITIES.—The
19 Commission may hold hearings, receive public comment
20 and testimony, initiate surveys, and undertake other ap-
21 propriate activities to gather the information necessary to
22 carry out its activities under section 5 of this Act.

23 (k) DETAILED EMPLOYEES.—

24 (1) AUTHORITY TO DETAIL.—Upon request of
25 the chairman of the Commission, the head of any

1 Federal department or agency may detail any of the
2 personnel of the department or agency to the Com-
3 mission to assist it in carrying out its duties under
4 this Act.

5 (2) REIMBURSEMENT.—Any Federal Govern-
6 ment employee may be detailed to the Commission
7 with or without reimbursement, and any such detail
8 shall be without interruption or loss of civil service
9 status or privilege.

10 (l) SUPPORT AND ASSISTANCE.—

11 (1) SUPPORT.—The Office of Science and Tech-
12 nology Policy shall provide support services to the
13 Commission.

14 (2) ASSISTANCE.—The Comptroller General of
15 the United States may provide assistance, including
16 the detailing of employees, to the Commission in ac-
17 cordance with an agreement entered into with the
18 Commission.

19 (m) OTHER AUTHORITY.—The Commission may pro-
20 cure by contract, to the extent funds are available, the
21 temporary or intermittent services of experts or consult-
22 ants pursuant to section 3109 of title 5, United States
23 Code. The Commission shall give public notice of any such
24 contract before entering into that contract.

1 (n) APPLICABILITY OF FACA.—Except as otherwise
2 provided in this Act, the Commission is subject to the Fed-
3 eral Advisory Committee Act (5 U.S.C. App.).

4 (o) FUNDING.—There are authorized to be appro-
5 priated to the Commission \$2,500,000 for fiscal year
6 2001, and \$5,000,000 for fiscal year 2002, to carry out
7 its duties under this Act.

8 (p) SUNSET.—The Commission shall cease to exist
9 60 days after it has submitted the plan required by section
10 5(c) of this Act.

11 **SEC. 5. STUDY AND REPORT.**

12 (a) STUDY.—The Commission shall study existing
13 and proposed space activities and formulate an agenda for
14 the United States civilian space program. The Commission
15 shall identify long range goals, opportunities, and policy
16 options for United States civilian space activity for the
17 next 20 years. In carrying out this responsibility, the Com-
18 mission shall take into consideration—

19 (1) the Nation's plans for a permanently
20 manned space station in low Earth orbit;

21 (2) present and future scientific, economic, so-
22 cial, environmental, and foreign policy needs of the
23 United States, and methods by which space science,
24 technology, and applications initiatives might ad-
25 dress those needs;

1 (3) the adequacy of the Nation's public and pri-
2 vate capability in fulfilling the needs identified in
3 paragraph (2);

4 (4) how a cooperative interchange between Fed-
5 eral agencies on research and technology develop-
6 ment, and technology transfer programs can benefit
7 the civilian space program;

8 (5) opportunities for, and constraints on, the
9 use of outer space toward the achievement of Fed-
10 eral program objectives or national needs;

11 (6) current and emerging issues and concerns
12 that may arise through the utilization of space re-
13 search, technology development, and applications;

14 (7) the Commission shall analyze the findings
15 of the reviews specified in paragraphs (1) through
16 (6) of this subsection, and develop options and rec-
17 ommendations for a long range national civilian
18 space policy plan.

19 (b) ESTIMATES OF REQUIREMENTS.—Options and
20 recommendations submitted in accordance with subsection
21 (c) of this section shall include, to the extent appropriate,
22 an estimate of costs and time schedules, institutional re-
23 quirements, and statutory modifications necessary for im-
24 plementation of such options and recommendations.

1 (c) REPORT.—Within 15 months after the date of the
2 establishment of the Commission, the Commission shall
3 submit to the President and to the Committee on Com-
4 merce, Science, and Transportation of the Senate and the
5 Committee on Science of the House of Representatives,
6 a long range plan for United States civilian space activity
7 incorporating the results of the studies conducted under
8 this section, together with recommendations for such legis-
9 lation as the Commission determines to be appropriate.

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